



ORDER NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re:

MINON MILLER,

Debtor(s).

Case No. 2:13-bk-35116-RK

Chapter 7

ORDER REOPENING BANKRUPTCY
CASE FOR CONSIDERATION OF
DEBTOR'S MOTION TO EXTEND TIME
TO FILE APPEAL

On September 25, 2015, Minon Miller (the "Debtor") filed a "Notice of Motion and Motion for Extension of Time for Filing Notice of Appeal and Memorandum of Law" (the "Motion") in relation to the "Order Dismissing Bankruptcy Case with Prejudice on Creditor Edward Gilliam's Motions to Dismiss Pursuant to 11 U.S.C. § 707(b)(1) and (3)(A)" entered on September 9, 2015. Debtor is pro per and not represented by counsel.

The case was closed on September 24, 2015 after the 14-day deadline to file a notice of appeal of the dismissal order on September 23, 2015, and it appears that the closing of the case at that time was proper. Although Debtor's motion to extend time to appeal is late under Federal Rule of Bankruptcy Procedure 8002(a), the motion filed two days late on September 25, 2015 might be granted upon a showing of excusable neglect under Federal Rule of Bankruptcy Procedure 8002(c)(2) since the motion was filed within 21 days of the expiration of the time to file a notice of appeal.

1 The court recognizing Debtor's pro per status and the relatively short time of two days
2 between the appeal expiration date and Debtor's filing of her motion to extend time to file a notice
3 of appeal orders that this bankruptcy case is reopened pursuant to 11 U.S.C. § 350(b) to accord
4 relief to the debtor, that is, to permit debtor's motion to extend time to file a notice of appeal to be
5 filed and heard before this court.

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24 Date: September 28, 2015



Robert Kwan
United States Bankruptcy Judge